



PATENT

Atty Docket: P71497US0

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Confirmation No: 5835  
Francis Kuhajda, et al. ) Art Unit: 1626  
Serial No: 10/520,505 ) Examiner: Golam Shameem  
Filed: February 6, 2006 )  
For: **NOVEL COMPOUNDS, PHARMACEUTICAL**  
**COMPOSITIONS CONTAINING SAME, AND**  
**METHODS OF USE FOR SAME** )

December 4, 2008

**AMENDMENT AND RESPONSE TO  
RESTRICTION REQUIREMENT**

**MAIL STOP AMENDMENT**  
Commissioner of Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed August 4, 2008, please amend the above-identified application as follows.

Amendments to the claims begin at page 2 of this paper.

Remarks begin at page 11.

12/05/2008 MAHMEED 00000075 10520505  
01 FC:2201 110.00 OP



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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2009

 Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$)
 **110.00**
**Complete if Known**

|                      |                  |
|----------------------|------------------|
| Application Number   | 10/520,505       |
| Filing Date          | February 6, 2006 |
| First Named Inventor | KUHAJDA et al.   |
| Examiner Name        | Golam Shameem    |
| Art Unit             | 1626             |
| Attorney Docket No.  | P71497US0        |

**METHOD OF PAYMENT** (check all that apply)
 Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

 Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

 Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES |              | SEARCH FEES |              | EXAMINATION FEES |              | Fees Paid (\$) |
|------------------|-------------|--------------|-------------|--------------|------------------|--------------|----------------|
|                  | Fee (\$)    | Small Entity | Fee (\$)    | Small Entity | Fee (\$)         | Small Entity |                |
| Utility          | 330         | 165          | 540         | 270          | 220              | 110          | 0              |
| Design           | 220         | 110          | 100         | 50           | 140              | 70           | 0              |
| Plant            | 220         | 110          | 330         | 165          | 170              | 85           | 0              |
| Reissue          | 330         | 165          | 540         | 270          | 650              | 325          | 0              |
| Provisional      | 220         | 110          | 0           | 0            | 0                | 0            | 0              |

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

| Fee (\$) | Small Entity |
|----------|--------------|
| 52       | 26           |
| 220      | 110          |
| 390      | 195          |

Each independent claim over 3 (including Reissues)

| Fee (\$) | Fee (\$) |
|----------|----------|
| 52       | 26       |
| 220      | 110      |
| 390      | 195      |

Multiple dependent claims

| Total Claims | Extra Claims   | Fee (\$) | Fee Paid (\$) | Multiple Dependent Claims |
|--------------|----------------|----------|---------------|---------------------------|
| 66           | - 20 or HP = 0 | x 26.00  | = 0.00        |                           |

HP = highest number of total claims paid for, if greater than 20.

| Fee (\$) | Fee Paid (\$) |
|----------|---------------|
| 0        | 0             |

Indep. Claims

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$)                       | Fee Paid (\$) |
|--------------|--------------|--|--------------------------------|---------------|
| - 100 =      |              | / 50 =   | (round up to a whole number) x | = 0           |

$$11 - 3 \text{ or HP} = 1 \times 110.00 = 110.00$$

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$)                       | Fee Paid (\$) |
|--------------|--------------|--|--------------------------------|---------------|
| - 100 =      |              | / 50 =   | (round up to a whole number) x | = 0           |

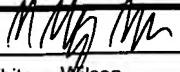
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

| Fees Paid (\$) |
|----------------|
| 0              |
| 0              |

Other (e.g., late filing surcharge): \_\_\_\_\_

**SUBMITTED BY**

|                   |   |   |                        |
|-------------------|---|---|------------------------|
| Signature         |  | Registration No. 38,661<br>(Attorney/Agent) | Telephone 202-638-6666 |
| Name (Print/Type) | N. Whitney Wilson   |   |                        |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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